

**From:** Dee Bailey [dabailey@cdatribe-nsn.gov]

**Sent:** Friday, December 01, 2006 10:58 AM

**To:** Snouwaert, Elaine (ECY); Cusimano, Bob; Ragsdale, Dave; Joy, Joe; Traeumer, Drea (ECY)

**Cc:** Erickson, Karol (ECY)

**Subject:** RE: IDEQ Hangman Creek TMDL

Elaine,

Using our GIS I determined that IDEQ is responsible for 9,575 acres outside of the reservation boundary. The following is the landuse breakdown:

Water=11.6 acres or 0.1%

Other=65.6 acres or 0.7%

Forestry=8082 acres or 84.4%

Shrubland=8.9 acres or 0.1%

Agriculture=1407 acres or 14.7%

I'm not sure this helps you guys out or not. Let me know if you need anything else.

Dee

-----Original Message-----

**From:** Snouwaert, Elaine (ECY) [mailto:ESNO461@ECY.WA.GOV]

**Sent:** Thursday, November 30, 2006 4:16 PM

**To:** Cusimano, Bob; Ragsdale, Dave; Joy, Joe; Traeumer, Drea (ECY); Dee Bailey

**Cc:** Erickson, Karol (ECY)

**Subject:** RE: IDEQ Hangman Creek TMDL

There is more forestry in the upper watershed but there is still some ag. Dee knows the area the best; she can probably give a better description.

I think we are mixing up orders of magnitude in our discussion. IDEQ is referencing 0.1 mg/L not 100mg/L.

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**From:** Cusimano, Bob

**Sent:** Thursday, November 30, 2006 3:49 PM

**To:** Snouwaert, Elaine (ECY); Ragsdale, Dave; Joy, Joe; Traeumer, Drea (ECY); 'Dee Bailey'

**Cc:** Erickson, Karol (ECY)

**Subject:** RE: IDEQ Hangman Creek TMDL

What is the level of development or ag in the upper watershed? If we use Lake Coeur d'Alene or upper Little Spokane as our reference conditions the value for TP would be <0.010 mg/L. 100mg/L of TP is a lot and probably reflects ag inputs.

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**From:** Snouwaert, Elaine (ECY)

**Sent:** Thursday, November 30, 2006 3:28 PM

**To:** Ragsdale, Dave; Joy, Joe; Traeumer, Drea (ECY); 'Dee Bailey'

**Cc:** Erickson, Karol (ECY); Cusimano, Bob

**Subject:** RE: IDEQ Hangman Creek TMDL

Thanks Dave,

Would Ecology and the Tribe really have to move forward with their existing P loading if our analysis showed that upstream jurisdictions weren't meeting downstream beneficial uses? Since they aren't establishing this P load in a TMDL (only delisting) it seems like they will still have to answer to our TMDL if the science indicates upstream is contributing to downstream problems. I could see a future disagreement about natural conditions but that will have to wait until we finish the WA and CDA Tribe modeling to know for sure what our natural conditions are.

Unfortunately although we are all trying to work together, IDEQ is quite a way ahead of us and they aren't using our model to develop their TMDL. It was developed in 2004 before we were all collaborating.

As far as you question, this is the justification they included in the report:

In order to prevent nuisance algae growth and dissolved oxygen problems, USEPA (1986) developed a national guideline for streams of 0.1 mg/L TP. More recently, USEPA (2000) developed nutrient criteria for total phosphorus of 0.03 mg/L specific to Columbia Plateau sub-ecoregion streams based on the median of all seasons' 25<sup>th</sup> percentiles. This value roughly corresponds to reference conditions for the Columbia Plateau. These criteria provide USEPA's most recent recommendations to states and authorized tribes for use in establishing their water quality standards. USEPA further recommends that, wherever possible, states develop nutrient criteria that fully reflect localized conditions and protect specific designated uses. The Hangman Creek drainage is an intensely agriculture system, one that is not anticipated to revert to reference quality. Normally, USEPA's earlier guidelines for TP (0.1 mg/L) would be used as a target in Hangman Creek. Current total phosphorus levels in upper Hangman Creek watershed appear to be more similar to reference condition levels. Therefore, it is recommended that no nutrient TMDL be completed for the upper watershed.

I hope this helps!

Thanks,  
Elaine

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**From:** Ragsdale, Dave  
**Sent:** Thursday, November 30, 2006 3:14 PM  
**To:** Snouwaert, Elaine (ECY); Joy, Joe; Traeumer, Drea (ECY); 'Dee Bailey'  
**Subject:** RE: IDEQ Hangman Creek TMDL

Elaine. Your comments look OK to me. However, I hope that a better resolution about boundary conditions (ID-IDEQ/Coeur d'Alene & Coeur d'Alene/WA-Ecology) is made during TMDL development, rather than afterwards. Otherwise, Ecology and the Tribe would have to move forward with TMDLs predicated on the existing P loading flowing across the upstream border. Since the Tribe, states and EPA are working collaboratively on this project, I was hoping we might be able to include presumptions in the TMDL improvements in upstream water quality. OK, that's wishful thinking.

Question? Did IDEQ identify the mean of their measured values as representative of the "natural condition" for phosphorus?

Talk with you soon. Dave Ragsdale

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**From:** Snouwaert, Elaine (ECY)  
**Sent:** Thursday, November 30, 2006 2:37 PM  
**To:** Ragsdale, Dave; Joy, Joe; Traeumer, Drea (ECY); 'Dee Bailey'  
**Subject:** FW: IDEQ Hangman Creek TMDL

Hi Everyone,

Here are some comments Joe and I drafted to send to IDEQ about these concerns. Please let me know if you have any concerns. I plan to send them early next week. Thanks!

Elaine

<< File: Comments on Idaho DEQ.doc >>

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**From:** Ragsdale, Dave  
**Sent:** Monday, November 27, 2006 1:14 PM  
**To:** Joy, Joe  
**Cc:** Snouwaert, Elaine (ECY); Traeumer, Drea (ECY); Dee Bailey  
**Subject:** RE: IDEQ Hangman Creek TMDL

Joe and Elaine. I'm not sure if anyone else has responded to Joe's message. I did not pay much attention to IDEQ's draft TMDL and was surprised to see they are considering 0.04 mg/l to approximate the natural

condition concentration of P in the upper Hangman watershed. That has obvious implications regarding the targets set for the Creek mouth in the proposed Spokane River D.O. TMDL (which I believe are about 0.02 mg/l during the critical period). If IDEQ's perspective is maintained, it would be difficult to justify a lower concentration as being the natural condition in the lower Hangman watershed. Were this adjustment made to the P targets in the proposed Spokane D.O. TMDL it would significantly reduce loading capacity for NPS in Hangman and would certainly kill any potential to create loading capacity in the Spokane river (for the point sources) via pollutant trading. Trading was never a realistic opportunity anyway... .

Please let me know if you hear something from the Tribe or IDEQ about this. I forwarded the issue to my counterparts in EPA's Boise office for them to bring to IDEQ attention. I will let you what/if they turn up anything. At this point, I suggest contacting Ed Tullock in IDEQ Coeur d'Alene office about this.

Thanks. Dave Ragsdale  
360.407.6589

Hi Joe,

I did raise this concern at one of IDEQ's WAG meetings. Their response was something to the effect of their data doesn't indicate a need to complete a TMDL, however if our or the Tribe's TMDL indicates they need a reduction at the reservation boundary that they will have to reconsider it. We could consider making a formal comment suggesting that they proceed with not including nutrients in their current TMDL but that they refrain from actually de-listing it due to lack of evidence and to wait for the outcome of the downstream TMDLs.

They plan to start their public comment period in late January or early February.

Let me know if you want to draft a comment and I'll initiate it.  
Elaine

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**From:** Joy, Joe  
**Sent:** Monday, November 20, 2006 11:59 AM  
**To:** Ragsdale, Dave; Snouwaert, Elaine (ECY)  
**Cc:** Dee Bailey; Traeumer, Drea (ECY)  
**Subject:** IDEQ Hangman Creek TMDL

Dave & Elaine -

I've just had time to look at Idaho's July 2005 draft TMDL for the upper reaches of Hangman Creek. On page 34, their assessment excludes TP as a TMDL parameter because:

"Total phosphorus levels in the upper watershed had decreased below 0.1 mg/L by 1990, the target level used in this watershed to indicate nutrient problems. A more recent, albeit limited sampling of total phosphorus in the upper watershed showed values consistent with ecoregion reference conditions. Thus, no nutrient TMDL will be completed. It is recommended that Hangman Creek above the Coeur d'Alene Tribal boundary be de-listing (*sic*) for nutrients."

The reference conditions assessment is based on 8 samples collected in April 2005 with a mean concentration of 0.038 mg/L TP (Table 6, page 30). The comparison is to the Columbia Basin Ecoregion 25th percentile reference value of 0.03 mg/L TP, the same as the Northern Rockies Ecoregion. I have some concerns about our Hangman Creek work and getting help from Idaho if this type of assessment is accepted. The lack of reference data will hamper our efforts to reduce Hangman Creek TP concentrations to less than 0.02 - 0.03 mg/L at the mouth in April-May or June-October.

I do think that their stream bank and sediment/erosion control measures will help to reduce TP, but I'm not sure I'd like them to write-off TP as okay at 0.04 mg/L at this point. Any suggestions?

Thanks

Joe

*Joe Joy  
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